

**A SUBSTITUTE RESOLUTION**

**03-R-0383**

**BY THE TRANSPORTATION COMMITTEE**

**A SUBSTITUTE RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN AGREEMENT WITH CLAYTON COUNTY, GEORGIA OR ITS DESIGNEE GRANTING CLAYTON COUNTY OR ITS DESIGNEE AN OPTION TO PURCHASE CERTAIN PROPERTY OWNED BY THE CITY OF ATLANTA WITHIN THE MOUNTAIN VIEW REDEVELOPMENT AREA LOCATED IN CLAYTON COUNTY, GEORGIA; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta owns and operates the Hartsfield Atlanta International Airport ("Airport"), upon which there exists certain lands and facilities for the lease and use of airlines and other aeronautical users; and

**WHEREAS**, the City owns certain property in the amount of approximately sixty (60) acres, originally purchased by the City as part of the Airport's Noise Mitigation Program (the "City-Owned Property"), in the Mountain View Redevelopment Area that consists of approximately 444 total acres and is located east of the Airport in north Clayton County, Georgia; and

**WHEREAS**, the City and Clayton County agree that redevelopment of the Mountain View area is of vital importance to Clayton County, the City and the greater metropolitan area because the redevelopment will provide numerous employment and economic growth opportunities in the metropolitan area and will support the addition of the Fifth Runway at Hartsfield International Airport; and

**WHEREAS**, the Redevelopment Authority of Clayton County (the "RACC") has adopted a redevelopment plan for the Mountain View area called the Mountain View Redevelopment Plan Update (the "Redevelopment Plan") that the City approves and recognizes as a reasonable plan for redevelopment of the Mountain View area subject to any appropriate height, design or use restrictions or easements that the City deems necessary and appropriate and any federal regulations with which the City is required to comply; and

**WHEREAS**, Clayton County must acquire and assemble the properties within the Mountain View Redevelopment Area in order to redevelop the Mountain View area according to the Redevelopment Plan; and

**WHEREAS**, Clayton County has requested and the City has agreed to provide assistance to Clayton County in redeveloping the Mountain View area by granting to Clayton County or its designee an option to purchase the City-Owned Property; and

**WHEREAS**, Clayton County desires to purchase and the City desires to sell the City-Owned Property lying and located within the Mountain View Redevelopment Area; and

**WHEREAS**, if Clayton County or its designee exercises the option to purchase, the purchase price of the City-Owned Property shall be the fair market value of the property as determined by an appraisal process.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,** that the Mayor or her designee be and is hereby authorized to execute on behalf of the City an Agreement providing Clayton County, Georgia or its designee with an irrevocable option of three hundred and sixty five (365) days to purchase the City-Owned Property located in the Mountain View Redevelopment Area.

**BE IT FURTHER RESOLVED,** that the City Attorney be and hereby is directed to prepare the Option Agreement and any other necessary agreements or documents related to the Option Agreement or the purchase and sale of the City-Owned Property for execution by the Mayor, to be approved as to form by the City Attorney.

**BE IT FINALLY RESOLVED,** that said Option Agreement shall not become binding upon the City, and the City shall incur no obligation or liability thereunder until the same has been signed by the Mayor or her designee and delivered to Clayton County, Georgia or its designee.